

**MEETING of the EMERGENCY COMMISSION
MINUTES
Wednesday, June 7, 2000**

A regular meeting of the Emergency Commission was held on Wednesday, June 7, 2000, in the Governor's Conference Room. Governor Schafer called the meeting to order at 7:04 a.m. Present in the conference room were Governor Ed Schafer, Senator David Nething, and Secretary of State Al Jaeger. Representative Jack Dalrymple participated via telephone until 7:40 a.m. and through agenda item # 11 (Request #1290). Senator Gary Nelson joined the meeting via telephone at 7:43 a.m. and participated in the meeting beginning with agenda item 12 (Request #1291).

Requests identified with an asterisk will be forwarded to the Budget Section Committee for review and approval at its meeting on Wednesday, June 21, 2000, per the provisions of N.D.C.C. § 54-16-04.1 and N.D.C.C. § 54-16-04.2.

0. State Historical Society of North Dakota (Request # 1279)

Request from Secretary of the Emergency Commission for approval to modify the minutes from the special meeting held on May 22, 2000, regarding approval of the subject request, which inadvertently omitted the wording that it was "approved under the emergency provisions of N.D.C.C. § 54-16-04 due to an imminent financial loss to the state."

Secretary of State Jaeger moved for approval. Representative Dalrymple seconded the motion. Voting yes were Schafer, Dalrymple, Jaeger. Voting no was Nething. Motion carried.

1. Dickinson Research Center * (Request # 1280)

Request for \$419,000 in increased spending authority to accept other funds from cattle sales (\$106,000) and oil royalties (\$313,000) to repair storm damage to buildings and equipment (\$239,000) and to make other capital improvements to the Out Wintering Research Facilities (\$180,000).

Senator Nething moved for approval. Secretary of State Jaeger seconded the motion. All members voted aye. Motion carried.

2. Water Commission (Request # 1281)

Request for increased spending authority of \$1,000,000 to accept excess oil extraction revenue from the resources trust fund under the provisions of Section 6, SB 2023 (Chapter 45, 1999 Session Laws).

Senator Nething moved for approval. Representative Dalrymple seconded the motion. All members voted aye. Motion carried.

3. Children's Services Coordinating Committee (Request # 1282)

Request for a line item transfer of \$18,000 from operating to grants to allow for the administration of travel expenses related to Covering Kids: A National Health Access Initiative for Low-Income, Uninsured Children.

Secretary of State Jaeger moved for approval. Senator Nething seconded the motion. All members voted aye. Motion carried.

4. **State Historical Society of North Dakota (Request # 1283)**

Request for \$18,740 in increased spending authority for operating to accept funds from the North Dakota State Library for implementation and membership in the Online Dakota Information Network (ODIN) to be used to load existing electronic records and to add two computers for public access to the existing local area network.

Secretary of State Jaeger moved for approval. Senator Nething seconded the motion. All members voted aye. Motion carried.

5. **North Dakota School for the Deaf * (Request # 1284)**

Request for \$125,006 in increased spending authority to accept federal funds for salaries and wages (\$49,000); operating (\$71,426); and equipment (\$4,580) for the North Dakota Deafblind Project

Representative Dalrymple moved for approval. Senator Nething seconded the motion. All members voted aye. Motion carried.

6. **North Dakota Department of Health * (Request # 1285)**

Request for \$725,100 in increased spending authority to accept federal funds from the Center for Disease Control/HHS Tobacco Prevention Control (\$415,100) and Preparedness and Response for Bio-terrorism (\$310,000) for salary and 2 FTE (\$85,800); operating (\$12,500); equipment (\$16,800); and grants (\$610,000) for tobacco use prevention and bio-terrorism programs.

Senator Nething moved for approval. Secretary of State Jaeger seconded the motion. All members voted aye. Motion carried.

(Representative Dalrymple also requested that the minutes include a reference made by Murray Sagsveen, State Health Officer, that the two FTE positions would only be in place as long as federal funding for them was available.)

7. **Water Commission * (Request # 1286)**

Request for \$395,000 in increased spending authority for grants to accept federal pass-through funds from the Department of Emergency Management (DEM) for a pass-through to the United States Geological Survey for stream gages (\$165,000); from DEM for the Flood Mitigation Assistance Program (\$160,000); and to accept other funds from the Garrison Diversion Conservancy District (\$30,000), Devils Lake Basin Joint Water Resource Board (\$20,000), and Forward Devils Lake Corporation (\$10,000) for the Devils Lake Outlet Awareness Manager; and for increased spending authority for equipment to accept federal funds from FEMA (\$10,000) for equipment related to dam safety.

Senator Nething moved for approval. Secretary of State Jaeger seconded the motion. All members voted aye. Motion carried.

8. **Human Services * (Request # 1287)**

Request for \$552,000 in increased spending authority for grants to use carryover federal funds from year five of the Partnership Program to allow expenditure of those funds during the current biennium.

Secretary of State Jaeger moved for approval. Senator Nething seconded the motion. All members voted aye. Motion carried.

9. **Human Services * (Request # 1288)**

Request for \$417,135 in increased spending authority for operating to accept federal funds (\$360,000) and to utilize unspent funds appropriated during past biennium (\$57,135) for programs to combat underage drinking.

Senator Nething moved for approval. Secretary of State Jaeger seconded the motion. All members voted aye. Motion carried.

10. Human Services * (Request # 1289)

Request for \$2,193,860 in increased spending authority for operating (\$439,632) and grants (\$1,754,228) to accept federal funds (\$1,654,702) from the federal Substance Abuse Prevention and Treatment program to expand prevention resource infrastructures (\$439,632); from the federal Refugee Assistance program to expand services to the refugee population (\$907,717); and from the federal Independent Living program to train adolescents in daily living skills (\$307,353); and to accept other funds (\$539,158) from the Bush Foundation for training infant/toddler caregivers.

Secretary of State Jaeger moved for approval. Senator Nething seconded the motion. All members voted aye. Motion carried.

11. Human Services * (Request # 1290)

Request for \$2,218,429 in increased spending authority for subdivision 2, economic assistance, medical assistance, to accept Health Care Trust Funds, per the provisions of Section 5 of SB 2168 (Chapter 429, 1999 Session Laws), to support the development of basic care facilities, assisted living facilities, and other alternatives to nursing facility care.

Senator Nething moved for approval. Secretary of State Jaeger seconded the motion. All members voted aye. Motion carried.

NOTE: At this point of the meeting, Representative Dalrymple could no longer participate via telephone and Senator Nelson joined the meeting via telephone.

12. Banking & Financial Institutions (Request # 1291)

Request for a line item transfer of \$20,000 from the agency's contingency line to operating to cover legal expenses related to pawn shops, payday lenders, and title loan companies.

Secretary of State Jaeger moved for approval. Senator Nelson seconded the motion. All members voted aye. Motion carried.

13. North Dakota Department of Agriculture * (Request # 1292)

Request for \$289,583 in increased spending authority for operating (\$220,833) and salaries (\$68,750) to accept federal pass-through funds from the North Dakota Department of Health, granted to them by the Environmental Protection Agency (EPA) 319 Non-point Pollution Prevention Program, to make the Dairy Pollution Prevention Program, to be administered by a coordinator, available to all North Dakota dairy producers with priority to non-point watersheds.

Senator Nething moved for approval. Senator Nelson seconded the motion. All members voted aye. Motion carried.

14. North Dakota Department of Agriculture (Request # 1293)

Request for \$45,000 in increased spending authority for salaries to accept federal funds from the Environmental Protection Agency (EARP) to add a 0.5 FTE position to an existing 0.5 FTE position previously authorized by the 1999 Legislature with duties related to pesticide registration, harmonization, and other pesticide related issues.

Senator Nething moved for approval. Senator Nelson seconded the motion. All members voted aye. Motion carried.

15. Highway Patrol * (Request # 1294)

Request for \$720,000 in increased spending authority for field operations to accept federal pass-through funds from the North Dakota Department of Human Services, granted to them by the U. S. Department of Justice, to be used for programs related to the enforcement of underage drinking.

Senator Nething moved for approval. Senator Nelson seconded the motion. All members voted aye. Motion carried.

16. Highway Patrol (Request # 1295)

Request for \$50,000 in increased spending authority for field operations to accept federal pass-through funds from the North Dakota Department of Transportation to purchase tire spike systems for highway patrol vehicles and county sheriff departments.

Secretary of State Jaeger moved for approval. Senator Nelson seconded the motion. All members voted aye. Motion carried.

17. Highway Patrol * (Request # 1296)

Request for \$630,000 in increased spending authority for field operations to accept federal funds to be passed-through to the Upper Great Plains Transportation Institute at North Dakota State University to develop a Query Central System related to border checks on drivers and vehicles (\$500,000); for an Intelligent Transportation System/Commercial Vehicle Operation Business Plan program related to technology and the commercial vehicle industry (\$90,000); and for a North Dakota Commercial Motor Vehicle Crash Data Analysis program related to a safety plan pertaining to commercial vehicles (\$40,000).

Senator Nelson moved for approval. Secretary of State Jaeger seconded the motion. All members voted aye. Motion carried.

18. Highway Patrol * (Request # 1297)

Request for \$754,000 in increased spending authority for field operations to accept federal funds to be passed-through to the Upper Great Plains Transportation Institute at North Dakota State University to develop Aspen – 32 Third Generation Roadside Inspection Software that will assist state and federal law enforcement agencies when making safety inspections of commercial vehicles.

Senator Nelson moved for approval. Senator Nething seconded the motion. All members voted aye. Motion carried.

19. Secretary of State * (Request # 1298)

Request for \$120,000 in increased spending authority for the general services operating fund authorized by section 4 of SB 2002 (Chapter 24, 1999 Session Laws) to accept greater than anticipated revenue and to expend those funds for salaries (\$56,300); operating (\$39,700); and equipment (\$24,000) to provide better and faster services for the public.

Senator Nething moved for approval. Governor Schafer seconded the motion. All members voted aye. Motion carried.

The meeting adjourned at 8:02 a.m.

Respectfully submitted,

Alvin A. Jaeger
Secretary of State
Secretary to Emergency Commission